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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

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7 KYLE L. CAMPANELLI,
8 Plaintiff,

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v.

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IMAGE FIRST HEALTHCARE
LAUNDRY SPECIALISTS, INC., et al.,
11 Defendants.

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Case No. 15-cv-04456-PJH

ORDER RE JOINT STATEMENT

Re: Dkt. No. 107

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The court previously ordered the parties to submit a stipulated briefing schedule for defendants' motion for summary judgment related to the Supreme Court's decision in Epic Systems Corp. v. Lewis, No. 16-285. Dkt. 106. The same order provided that if the parties believed that motion to be "unnecessary," then the parties could file a joint status statement outlining proposed next steps. Id.

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The court is now in receipt of the parties' competing proposals for next steps.

Defendants propose filing their Epic-related motion for summary judgment before

plaintiff's motion for, *inter alia*, conditional collective action certification. Plaintiff proposes

that those motions should be filed in the opposite order. Importantly, neither party

believes that defendants' Epic-related motion for summary judgment is "unnecessary."

Instead, the parties only dispute the timing of the above motions.

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The court has twice previously decided that issue. Dkts. 88 at 6, 106 at 1-2. The

court needs to know who can be part of the class/collective action before plaintiff moves

for conditional certification and before notice of this action is sent to the putative

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28 collective/class members.

1 Accordingly, defendants shall file their Epic-related motion for summary judgment
2 by July 6, 2018.

3 **IT IS SO ORDERED.**

4 Dated: June 15, 2018



5 PHYLLIS J. HAMILTON
6 United States District Judge

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